

**CITY OF RUSSELLVILLE, KENTUCKY
ORDINANCE NO. 2005-01**

AN ORDINANCE AMENDING ORDINANCE NO. 84-4, "AN ORDINANCE DIVIDING THE CITY OF RUSSELLVILLE AND AREAS WITHIN ITS JURISDICTION INTO ZONES, SETTING FORTH GOALS, OBJECTIVES, AUTHORITY, THE TITLE TO WHICH THE ORDINANCE MAY BE REFERRED, GUIDELINES FOR INTERPRETATION THEREOF, AND DEFINITIONS; DIVIDING THE CITY INTO DISTRICTS AND BOUNDARIES AND PROVIDING FOR THE ZONING OF ANNEXED LANDS; STATING GENERAL PROVISIONS APPLICABLE TO ZONING DISTRICTS; DESCRIBING THE ZONING DISTRICTS AND THE BASIC REQUIREMENTS; STATING PROVISIONS APPLICABLE TO MOBILE HOMES AND MOBILE HOME PARKS; STATING PROVISIONS APPLICABLE TO PLANNED DEVELOPMENTS; STATING PROVISIONS APPLICABLE TO ZONING ADMINISTRATION; PROVIDING FOR AMENDMENTS TO THIS ORDINANCE WITH A SEVERABILITY CLAUSE AND A REPEALER CLAUSE PROVIDING FOR THE EFFECTIVE DATE AND RECORDING OF THIS ORDINANCE AND ALL AMENDMENTS THERETO" BY AMENDING THE ZONING CLASSIFICATION OF "COOL SPRINGS SUBDIVISION" LOCATED ON FRANKLIN ROAD IN RUSSELLVILLE, LOGAN COUNTY, KENTUCKY, FROM RESIDENTIAL R-3 TO RESIDENTIAL R-2, AS MORE FULLY SHOWN BY THE ATTACHED PLAT; WITH REPEALER CLAUSE AND SEVERABILITY CLAUSE; AND ESTABLISHING AN EFFECTIVE DATE

WHEREAS, on March 19, 1984, the City Council in and for the City of Russellville, Kentucky, enacted Ordinance 84-4, "AN ORDINANCE DIVIDING THE CITY OF RUSSELLVILLE AND AREAS WITHIN ITS JURISDICTION INTO ZONES, SETTING FORTH GOALS, OBJECTIVES, AUTHORITY, THE TITLE TO WHICH THE ORDINANCE MAY BE REFERRED, GUIDELINES FOR INTERPRETATION THEREOF, AND DEFINITIONS; DIVIDING THE CITY INTO DISTRICTS AND BOUNDARIES AND PROVIDING FOR THE ZONING OF ANNEXED LANDS; STATING GENERAL PROVISIONS APPLICABLE TO ZONING DISTRICTS; DESCRIBING THE ZONING DISTRICTS AND THE BASIC REQUIREMENTS; STATING PROVISIONS APPLICABLE TO MOBILE HOMES AND MOBILE HOME PARKS; STATING PROVISIONS APPLICABLE TO PLANNED DEVELOPMENTS; STATING PROVISIONS APPLICABLE TO ZONING ADMINISTRATION; PROVIDING FOR AMENDMENTS TO THIS ORDINANCE WITH A SEVERABILITY CLAUSE AND A REPEALER

CLAUSE PROVIDING FOR THE EFFECTIVE DATE AND RECORDING OF THIS ORDINANCE AND ALL AMENDMENTS THERETO," more commonly known as the "Zoning Ordinance of the City of Russellville, Kentucky"; and

WHEREAS, the Logan Joint Cities-County Planning Commission has made a recommendation to City Council that a certain area of land within the city limits be rezoned based upon a change in economic, social or physical conditions, and

WHEREAS, the Findings of Fact and Recommendation of the Logan Joint Cities-County Planning Commission is attached hereto and made a part hereof, and

WHEREAS, the City Council in and for the City of Russellville, Kentucky deems that this change is in the best interests of the health, safety and welfare of the citizens of Russellville, Kentucky;

NOW, THEREFORE, be it ordained by the City Council in and for the City of Russellville, Kentucky, as follows:

A. The "Zoning Ordinance of the City of Russellville, Kentucky" is hereby amended as follows:

That "Cool Springs Subdivision", as shown by the attached plat, and with being more fully described in the appended metes and bounds description, and being located on Franklin Road in Russellville, Logan County, Kentucky, is hereby rezoned from Residential R-3 to Residential R-2.

B. In the event any provision of this Ordinance is invalid for any reason, such invalidity shall not affect any other provision.

C. All portions of any ordinance or rule or regulation in conflict herewith are hereby repealed to the extent of that conflict only.

D. This Ordinance shall be effective upon its passage and publication according to law.

FIRST READING conducted on January 18, 2005.

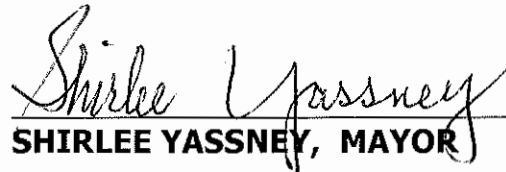
SECOND READING and passage by roll call vote on February 8, 2005.

Ayes: Jones, Russell; McPherson, Lanny; Phillips, Charles; Stratton, Mark; Whipple, Jack; Zick, Eugene.

Nays: None.

Abstaining: None.

Absent: None.



SHIRLEE YASSNEY, MAYOR

ATTEST:



BOB RIGGS, CITY CLERK

**LOGAN JOINT CITIES/COUNTY
PLANNING COMMISSION**

In RE: The Application of Cool Springs Subdivision

FINDINGS OF FACT AND RECOMMENDATION

This matter having come before the Logan Joint Cities/County Planning Commission (Commission) on December 2, 2004, on the Application of the owners of property within Cool Springs Subdivision (Applicants) for a change in the Zoning Map of the City of Russellville for Cool Springs Subdivision located on Franklin Road, in Russellville, Logan County, Kentucky (Application), a legal description and plat of which is attached hereto, from Residential R-3 to Residential R-2, and the Commission having heard comments from Bill Pearson as to the record in this case, and finding that some of the residents were present and in agreement with the proposed change, and the Commission having considered same, and being sufficiently advised, does hereby enter the following as its FINDINGS OF FACT:

FINDINGS OF FACT

1. Due notice of the meeting was given, a quorum was present, and the interested parties appeared.
2. Bill Pearson presented information and the record and independent information obtained by him showing that the existing zoning classification given to the property is inappropriate and that the proposed zoning classification is appropriate and that there have been major changes in the residential makeup of the area involved which were not anticipated in the previously adopted Comprehensive Plan and that there have been major changes in the social nature within the area

involved which were not anticipated in the previously adopted Comprehensive Plan and that the map amendment applied for is in agreement with the recently adopted Comprehensive Plan. Mr. Pearson testified that notice had been sent to all property owners within the area and all adjacent property owners that touched that area sought to be rezoned. The property has been zoned as R-3 residential for many years, but only has single family housing. Mr. Pearson stated that there are about six or eight undeveloped lots still left in the area. All applicants wish to restrict this to single family residential. The area is quiet and peaceful. All lots within the area are on private septic systems. Fire protection is provided by the City of Russellville and there is no commercial business in the area. The Amendment sought by the applicants is consistent with the recently adopted Comprehensive Plan, but the development is consistent with an R-2 residential area rather than its current zoning. There has been no opposition to the proposed Amendment to the map.

3. Incorporated herein by reference as if fully copied herein are the audio tapes and Minutes of the meeting.

4. On motion of Jim Trimble, seconded by John Cates, passed on roll call vote by those present, the Application for the rezoning of the property was approved.

RECOMMENDATION

The Commission, having considered the Application as amended and the evidence presented, having on December 2, 2004, accepted the evidence offered on behalf of the Application as amended, and having approved the Application, and having made its FINDINGS OF FACT, does hereby recommend to the City Council of the City of Russellville that the Application be approved, and this is the final action of the Commission on this Application.

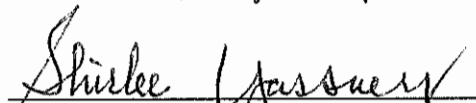
This 16 day of December, 2005.

THE JOINT LOGAN COUNTY AND
LOGAN CITIES PLANNING COMMISSION

by:


KEN ROBBINS, Chairman

Received on behalf of
City of Russellville, Kentucky,
this 11 day of January, 2005.

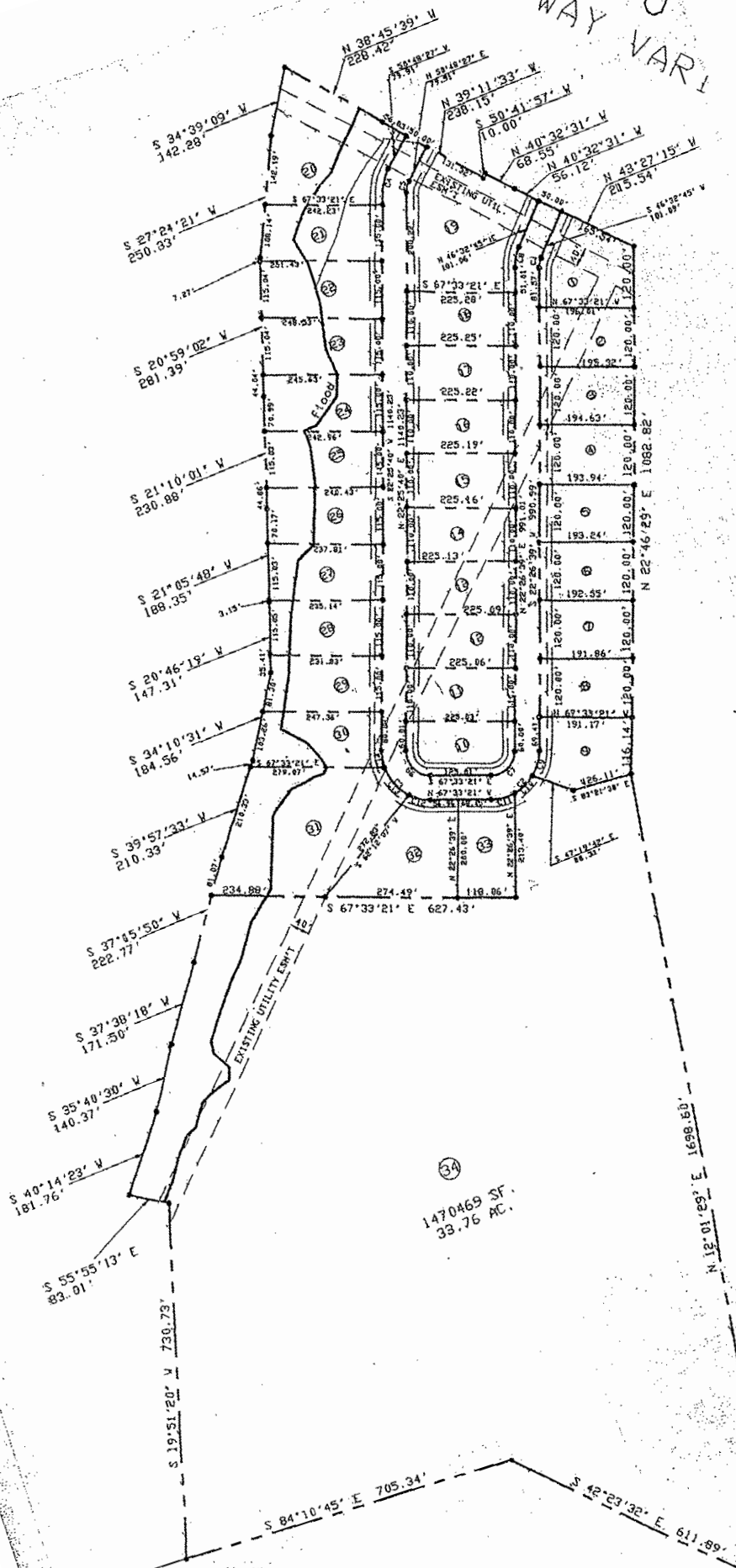

SHIRLEE YASSNEY, MAYOR
CITY OF RUSSELLVILLE

3600COOLSPRINGS

100' OF-WAY VARI

Book
Subd

CT #2



34
1470469 SF
33.76 AC.

S 84° 10' 45\" E 705.34'
S 42° 23' 32\" E 611.89'
N 12° 01' 59\" E 1698.50'

S 19° 51' 28\" V 730.79'
S 55° 55' 13\" E 83.01'
S 40° 14' 23\" V 181.76'
S 35° 40' 30\" V 140.37'
S 37° 38' 18\" V 171.50'
S 37° 05' 50\" V 222.77'

S 39° 57' 33\" V 210.33'
S 34° 10' 31\" V 184.56'
S 20° 46' 19\" V 147.31'
S 21° 05' 48\" V 188.35'
S 21° 10' 01\" V 230.88'
S 20° 59' 02\" V 281.39'

S 27° 24' 21\" V 250.83'
S 34° 39' 09\" V 142.28'

N 38° 45' 39\" V 228.42'
N 39° 11' 33\" V 230.15'

S 50° 41' 57\" V 10.00'
N 40° 32' 31\" V 68.55'
N 43° 27' 15\" V 215.54'

N 22° 46' 29\" E 1082.82'